

REMARKS

This Response is submitted in reply to the final Office Action dated December 11, 2006, issued in connection with the above-identified application. Claims 1-14 are all the claims pending in the application. With this Response, claims 1-3 and 7-11 have been amended. No new matter has been introduced by this Response. Thus, favorable reconsideration is respectfully requested.

In the Office Action, the Examiner requested a translation of the foreign priority documents relied on in the present application for obtaining foreign priority benefits under 35 U.S.C. 119(a)-(d). The Examiner stated that it would be acceptable for the English translation to be submitted at a later date. The Applicants are still in the process of obtaining an English translation of the foreign priority documents. The English translation will be submitted as soon as it is obtained.

The Office Action objects to claim 8 for minor grammatical errors. The Applicants have amended claim 8 as suggested. Withdrawal of this claim objection is respectfully requested.

The Office Action rejects claims 1-14 under 35 U.S.C. § 112, first paragraph, for failing to comply with written description requirements. The Applicants have amended the claims to remove the claim element “telephone.” Withdrawal of this claim rejection is respectfully requested.

The Office Action also made the following prior art rejections to the claims: claims 1, 5-7, 9 and 11-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sharma (U.S. Patent No. 6,766,163 to “Sharma”); claims 2 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Wegener et al (U.S. Patent no. 6,490,432, hereafter “Wegener”); claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Wegener et al. (U.S. Patent no. 6,490,432, hereafter “Wegener”); and claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Youngs et al. (U.S. Patent No. 6,600,918, hereafter “Youngs”). The Applicants respectfully traverse the prior art rejections for the following reasons.

The cited prior art fails to include all the features recited in at least independent claims 1, 10 and 11. As previously presented, the independent claims recite that the data transmitted to a mobile terminal includes “data which represents contents of a related television program being

“currently broadcast.” This feature is not believed to be disclosed, taught or suggested by the cited references.

The Office Action relies exclusively on Sharma for disclosing this feature. In rejecting this feature, the Office Action points to col. 3, lines 64-67; col. 4, lines 1-36 and 48-54; col. 5 lines 14-53; col. 7, lines 26-28; and Fig. 1 of Sharma.

However, Sharma at col. 3, lines 64-67 and col. 4, lines 1-36 states that the “television station 100 encodes informational messages on its television data signal as teletext.” The teletext information relates to information that maybe of interest to a variety of audiences; for example, news, current events, travel, weather and the like. Thus, teletex messages are added as additional information to the television signal, not as information related to a television program being concurrently broadcast.

In col. 4, lines 48-54, the television signal encoded with the teletex messages is described as being received by a wireless access protocol (WAP) server 102, which is configured to decode the teletext messages encoded in the data signal. The WAP is coupled to a public switched telephone network (PSTN) 202 for relying the teletext messages to a mobile station 112. (see Sharma, Fig. 1). As described at col. 5, lines 14-53, each teletext message is viewed as a page and viewed one page at a time. The Office Action suggests that refreshing one of these pages to receive updated sport scores represents “a currently broadcast television program.” (see Sharma, col. 7, lines 26-28). However, there is nothing in Sharma that discloses that the teletext messages represent content of a television program being concurrent broadcast. It is, therefore, difficult to see how refreshing a teletext message now represent such a broadcast. In fact, updated sport scores can be obtained from many services, which do not represent a concurrent television broadcast.

Neither Wegener nor Youngs overcome the deficiencies noted above in Sharma. Wegener is directed to method of distributing audio and video data to a mobile receiver on-demand. However, similar to Sharma, nothing in Wegener suggests that the teletext messages represent content of a television program being concurrent broadcast. Youngs discloses transmitting only television program to a mobile device. The only textual data transmitted relates to a list of available programs, and this list is transmitted before the broadcast to allow for

the selection of programs for viewing (see Youngs, col. 4, lines 21-39). There is no textual data transmitted that relates to a concurrent or live broadcast.

Therefore, even if one of ordinary skill in the art were to combine the teachings of Sharmar, Wegener and Youngs, the combination still would not teach or suggest all the features recited in at least claims 1, 10 and 11. Likewise, dependent claims 4-9 and 12-14 are also distinguished over Youngs in view of and Wegener based on their dependency from independent claims 1 and 11.

In light of the above, the Applicants submit that claims 1-14 of the present application are patentable over the cited references. The Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Director is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (112740-300) on the account statement.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY Mark D. Pratt
Mark D. Pratt
Reg. No. 45,794
Customer No. 29177
Phone: 202-955-7003

Dated: 3/9/07